

**'Federal Court'
at
'District Court of the United States
for New Jersey'**

**i, a man;
prosecutor**

2:16-cv-08870-JMV-JBC

State of New Jersey; 'James Porch'
Wrongdoer(s)

Notice: No Subject Matter or Territorial
Jurisdiction

(verified)

notice: No Subject Matter or Territorial Jurisdiction

the *Rogers Court* presents notice:

i, a man, present evidence that the wrongdoers do not have subject matter jurisdiction.

Firstly: i, a man, am not a resident of the 'State of New Jersey'. (i.e. i do not live within public housing owned by the 'State of New Jersey')

Secondly: i, a man, am not a person as other men have defined.

Thirdly: i, a man, receive no benefit for the forced service in which my property is demanded.
(i.e. the fruits of my labor, money.)

"...nor shall private property be taken for public use without just compensation."

--Bill of Rights Amendment 5.

"Private property shall not be taken for public use without just compensation.

Individuals or private corporations shall not be authorized to take private property for public use without just compensation first made to the owners." –

New Jersey Constitution Article 1 paragraph 20 (See exhibit B)

Fourthly: i, a man, was exercising my inherent right of movement across the planet for private purposes. i was not engaged in commercial activity.

Fifthly: I believe the right to own property is an inherent right of man.

Sixthly: See exhibit A from the U.S. Attorney's Manual where it is agreed that subject matter jurisdiction is of utmost importance.

Seventhly: I, say here, and will verify in open court, that all herein be true;


Thomas J. Ross
Date: March 29, 2017


Exhibit Q

[U.S. Attorneys](#) » [Resources](#) » [U.S. Attorneys' Manual](#) » [Criminal Resource Manual](#) » [CRM 500-999](#) » [Criminal Resource Manual 601-699](#)

666. Proof of Territorial Jurisdiction

There has been a trend to treat certain "jurisdictional facts" that do not bear on guilt (*mens rea or actus reus*) as non-elements of the offense, and therefore as issues for the court rather than the jury, and to require proof by only a preponderance that the offense was committed in the territorial jurisdiction of the court to establish that venue has been properly laid. See *United States v. Bowers*, 660 F.2d 527, 531 (5th Cir. 1981); *Government of Canal Zone v. Burjan*, 596 F.2d 690, 694 (5th Cir. 1979); *United States v. Black Cloud*, 590 F.2d 270 (8th Cir. 1979) (jury question); *United States v. Powell*, 498 F.2d 890, 891 (9th Cir. 1974). The court in *Government of Canal Zone v. Burjan*, 596 F.2d at 694-95, applied the preponderance test to determinations of whether or not the offenses took place within the Canal Zone which established not merely proper venue but subject matter jurisdiction as well. Other cases, however, hold that the issue of whether the United States has jurisdiction over the site of a crime is a judicial question, see *United States v. Jones*, 480 F.2d 1135, 1138 (2d Cir. 1973), **but that the issue of whether the act was committed within the borders of the Federal enclave is for the jury and must be established beyond a reasonable doubt.** See *United States v. Parker*, 622 F.2d 298 (8th Cir. 1980); *United States v. Jones*, 480 F.2d at 1138. The law of your Circuit must be consulted to determine which approach is followed in your district.

The decision in *Burjan* should be viewed with caution. The analogy between territorial jurisdiction and venue has much to recommend it. Nevertheless, it is important to recognize that the two are not of equal importance. As the *Burjan* court noted, citing Fed. R. Crim. P. 12, subject matter jurisdiction is so important that it cannot be waived and may be noticed at any stage of the proceeding, see *Government of the Canal Zone v. Burjan*, 596 F.2d at 693, whereas the Ninth Circuit in *Powell* rested its ruling that venue need be proved by only a preponderance on the relative unimportance of venue as evidenced by its waivability. There is a clear distinction between the question of which court of a sovereign may try an accused for a violation of its laws and whether the sovereign's law has been violated at all.

Proof of territorial jurisdiction may be by direct or circumstantial evidence, and at least at the trial level may be aided by judicial notice. See *United States v. Bowers*, 660 F.2d at 530-31; *Government of Canal Zone v. Burjan*, 596 F.2d at 694. Compare *Government of Canal Zone v. Burjan*, 596 F.2d 690 with *United States v. Jones*, 480 F.2d 1135, concerning the role judicial notice may play on appeal.

[cited in [USAM 9-20.100](#)]

[665. Determining Federal Jurisdiction](#)

[up](#)

[667. Assimilative Crimes Act, 18 U.S.C. § 13](#)

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Exhibit B

State Of New Jersey (/c/mm2fw8l/state-of-new-jersey)

125 West State St

Trenton, NJ 08608

Phone:  Show Number ()

Own This Business?

[REDACTED]

)

State Of New Jersey is a privately held company in Trenton, NJ and is a Headquarters business. Categorized under Governors' Office. Our records show it was established in 1787 and incorporated in New Jersey.

Contact Is this your business? Claim This Profile

State Of New Jersey

Phone: (609) 396-4657

[REDACTED]

Name: Chris Christie

Job Title: Governor

Directions Is this your business? Claim This Profile

State Of New Jersey

125 West State St

Trenton, NJ 08608

Get Directions (/cmap/mm2fw8l/state-of-new-jersey)